

Amendment No. \_\_\_\_\_

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Signature of Sponsor

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

**AMEND Senate Bill No. 27\***

**House Bill No. 23**

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 8, Chapter 44, Part 1, is amended by adding the following as a new section:

(a)

(1) At least forty-eight (48) hours prior to a meeting, a local government legislative body shall make available to the public, at no charge, the agenda for the upcoming meeting in a place accessible to the public. The agenda must reasonably describe the matters to be deliberated or acted upon during the public meeting.

(2) A local government legislative body may deliberate or act upon matters not listed on the agenda if the local government legislative body follows its bylaws or properly adopted rules and procedures and complies with all other applicable state laws.

(b) A local government legislative body shall not circumvent the spirit or requirements of this section by withholding items from an agenda for the purpose of avoiding public disclosure of business to be considered by the legislative body.

(c) A local government legislative body that maintains a website may make an agenda available to the public through the website. The local government legislative body's website is considered a place that is accessible to the public for purposes of compliance with subsection (a).



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(d) As used in this section, "local government" means an incorporated city or town, metropolitan government, or county.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

Amendment No. \_\_\_\_\_

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Signature of Sponsor

**AMEND Senate Bill No. 280\***

**House Bill No. 328**

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

by deleting the language after the enacting clause and substituting the following:

SECTION 1. Tennessee Code Annotated, Section 4-31-501, is amended by deleting the section and substituting:

This part is known and may be cited as the "Tennessee Local Development Authority Public Safety Protection Act of 2023."

SECTION 2. Tennessee Code Annotated, Section 4-31-502, is amended by deleting the section and substituting:

It is in the interest and welfare of the people of Tennessee that the Tennessee local development authority be empowered to issue its revenue bonds and to make the bond proceeds or state appropriations available for loans to counties for the purchase of equipment for the use of the county or volunteer fire departments serving unincorporated areas of the county, in order to provide equipment to public safety officers in an effort to protect the citizens of Tennessee, result in improvements in fire ratings, and reduce fire insurance premiums.

SECTION 3. Tennessee Code Annotated, Section 4-31-503, is amended by deleting the section and substituting:

As used in this part, unless the context otherwise requires:

- (1) "Authority" means the Tennessee local development authority;
- (2) "Emergency medical dispatcher" (EMD) has the same meaning as defined in § 68-140-302;



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(3) "Emergency medical services personnel" has the same meaning as defined in § 68-140-302;

(4) "Equipment" includes, but is not limited to:

(A) For firefighters, uniforms, fire engines and other vehicles, ladders, hooks, hoses, and all other equipment necessary for containing and extinguishing fires;

(B) For law enforcement officers, uniforms, vehicles, weapons, holsters, handcuffs, restraints, batons, protective gear, and all other equipment necessary for the apprehension of suspects and criminals and the investigation and detection of crime;

(C) For emergency medical services personnel, uniforms, vehicles, stretchers, medical devices, medical supplies, first aid kits, automatic external defibrillators, and all other equipment necessary for the provision of emergency care; and

(D) For emergency communications dispatchers, uniforms, radios, antennas, base stations, call boxes, dispatch consoles, pagers, public safety systems, and all other equipment for the provision of emergency dispatching;

(5) "Firefighter" means an individual employed by a local government as a member of the local government's fire department, or who is a volunteer firefighter, trained in firefighting and actively engaged in such work or subject to call for such firefighting prevention services;

(6) "Law enforcement officer" means an individual employed by a local government as a member of the local government's law enforcement agency, and is trained and actively engaged in police work for the investigation into and detection of crime;

(7) "Loan agreement" means a contractual relationship by and between a county and the authority pursuant to and in accordance with this part; and

(8) "Public safety officer" means a law enforcement officer, firefighter, emergency medical services personnel, or an emergency medical dispatcher.

SECTION 4. Tennessee Code Annotated, Section 4-31-504(c), is amended by deleting the subsection and substituting:

(c) In addition to the powers otherwise granted by law, the authority may make loans to a county for the acquisition of equipment for a county's public safety officers or a volunteer fire department's public safety officers pursuant to a loan agreement between the county and the authority. Such loans must be made from the proceeds of bonds or notes issued by the authority or from state appropriations for the purpose of making such loans.

SECTION 5. Tennessee Code Annotated, Section 4-31-504(d), is amended by deleting the subsection and substituting:

(d)

(1) The authority shall establish a repayment schedule to be made by a county under a loan agreement.

(2) Such repayments must be in amounts at least sufficient, together with other funds available therefor, to pay the principal of, and interest on:

(A) Bonds and notes issued by the authority for the purpose of providing loans to counties for the purchase of public safety officer equipment, and as may be necessary for the authority to maintain a reserve for debt service; or

(B) State-appropriated funds for the purpose of providing loans to counties and nonprofit entities for the purchase of public safety officer equipment.

(3) The authority may collect an administrative fee in addition to such repayment schedule in an amount as may be set forth in the loan agreement.

(4) At the time of approval of a loan agreement, the annual repayment schedule applicable to all approved loans to a county under this part, when combined with the annual repayment schedules applicable to approved loans to counties under title 68, chapter 221, parts 2 and 5, or another loan agreement entered into between the county and the authority pursuant to this chapter must not exceed one hundred percent (100%) of the unobligated amount of annual state-shared taxes paid to the county as shown by the latest completed audit for the state's fiscal year.

(5) This subsection (d) does not require a uniform test for all loans, it being the intent of the general assembly that the authority exercise discretion based on the facts and circumstances of each loan.

(6) In exercising its discretion, the authority shall take into consideration the general financial condition of the county receiving the loan.

SECTION 6. Tennessee Code Annotated, Section 4-31-505, is amended by deleting subsection (b) and substituting:

(b) A county entering into a loan agreement with the authority must state in the loan application, in addition to those requirements established by the authority pursuant to rules, that the purchase of the equipment for firefighters is reasonably calculated to result in a reduction of fire insurance premium rates for businesses and residents within the unincorporated area of the county served by the county or volunteer fire department.

SECTION 7. Tennessee Code Annotated, Section 4-31-506(a), is amended by deleting the subsection and substituting:

(a) Subject to § 4-31-505 and all other existing contractual obligations of the county, the authority may enter into loan agreements with a county and the county may

enter into loan agreements with the authority for loans to pay for equipment for a county's public safety officers or a volunteer fire department's public safety officers.

SECTION 8. Tennessee Code Annotated, Section 4-31-507, is amended by deleting the section and substituting:

The authority has the right to enter into such further agreements with a county and require such further guarantees or securities as it may see fit prior to, or simultaneously with, the issuance or refusal to issue bonds, or the issuance or refusal to issue loans from bond proceeds or state appropriations, until such agreements or securities in a form that the authority may elect, are agreed to or are obtained.

SECTION 9. Tennessee Code Annotated, Section 4-31-512, is amended by deleting the section and substituting:

(a) The authority may establish in the state treasury a separate special trust fund of the authority for each separate issuance of bonds or notes that is similarly secured for state-appropriated funds, to be known as a "public safety protection fund," and to bear such additional designation as the authority deems appropriate to properly identify each fund.

(b) The state covenants and agrees that from and after the issuance of bonds or notes under this part or through the loaning of state-appropriated funds, moneys derived by this state from payments made pursuant to loan agreements with such counties and moneys withheld from state-shared taxes apportioned to such counties as permitted under the terms of the loan agreements that are pledged to the payment of such bonds, notes, or loans, must be paid into the particular fund established for the issuance of bonds or notes or the loaning of appropriated funds to which such moneys are pledged.

(c) Such moneys must be accounted for separately from all other moneys in the state treasury and must be applied by the authority solely for the purpose of:

(1) Paying the principal of and interest and premium, if any, on such issue of bonds, notes, and loans issued pursuant to this section;

(2) Refunding moneys due to participating counties where appropriate;  
and

(3) Paying all other costs incidental to the administration of the authority  
in connection with the loan agreements and the issuance of such bonds and  
notes.

SECTION 10. This act takes effect upon becoming a law, the public welfare requiring it,  
and applies to loan agreements executed, amended, or renewed on or after July 1, 2023.



House Public Service Subcommittee Am. #1

Amendment No. \_\_\_\_\_

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Signature of Sponsor

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Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

**AMEND Senate Bill No. 1099**

**House Bill No. 1024\***

by deleting the amendatory language in subdivision ( ) (3) of SECTION 1 and substituting  
instead:

(3) Fines assessed under subdivision ( ) (1) must be promptly collected by the  
Tennessee monuments and memorials commission, created by Senate Bill 1100 /  
House Bill 1025, or Tennessee historical commission, forwarded to the state treasurer,  
and deposited into the Tennessee historic preservation fund, hereby created and  
accounted for separately in the general fund, for the preservation, repair, refurbishment,  
and conservation of memorials. If the Tennessee monuments and memorials  
commission or Tennessee historical commission is unable to promptly collect a fine  
pursuant to this subdivision ( ) (3), the attorney general and reporter shall file suit in a  
court of competent jurisdiction to collect the fine.



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Comm. Amdt. \_\_\_\_\_

**AMEND Senate Bill No. 1099**

**House Bill No. 1024\***

by deleting all language after the enacting clause and substituting:

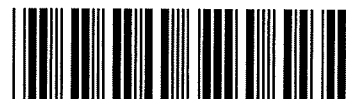
SECTION 1. Tennessee Code Annotated, Section 4-1-412(f), is amended by adding the following as a new subdivision:

( ) If the commission determines that a violation under this section has occurred, then the public entity is subject to a civil penalty of ten thousand dollars (\$10,000) for each day that the violation continues until the public entity has taken full restorative action to comply with this section. The commission shall endeavor to collect each civil penalty required by this subdivision (f)( ). Civil penalties collected pursuant to this subdivision (f)( ) must be deposited into the Tennessee historic preservation fund, hereby created and accounted for separately in the general fund, for the preservation, repair, refurbishment, and conservation of memorials. If the commission is unable to collect a civil penalty pursuant to this subdivision (f)( ), then the attorney general and reporter may file suit in a court of competent jurisdiction to collect the civil penalty.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.



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Comm. Amdt. \_\_\_\_\_

**AMEND Senate Bill No. 1100**

**House Bill No. 1025\***

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 4-1-412(a)(1), is amended by deleting the subdivision and substituting:

(1) "Commission" means the Tennessee monuments and memorials commission established pursuant to this section;

SECTION 2. Tennessee Code Annotated, Section 4-1-412, is amended by adding the following as a new subsection ( ):

( )

(1) There is created the Tennessee monuments and memorials commission.

(2) The commission shall study, hear, and resolve petitions for waiver under this section.

(3)

(A) The membership of the commission shall consist of nine (9) members, with three (3) members appointed by the governor, three (3) members appointed by the speaker of the senate, and three (3) members appointed by the speaker of the house of representatives.

(B) The executive director of the Tennessee historical commission shall serve as an ex officio non-voting member of the commission.



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(C) The appointing authorities shall ensure that the membership is equally divided among the three (3) grand divisions of the state.

(D) Each appointing authority shall appoint one (1) individual to a four-year term, one (1) individual to a three-year term, and one (1) individual to a two-year term, beginning July 1, 2023. After the initial terms are served, all terms are four-year terms.

(E) The members serve without compensation, but may receive reimbursement for travel expenses in accordance with the comprehensive travel regulations as promulgated by the department of finance and administration and approved by the attorney general and reporter.

(F) Vacancies must be filled by the respective appointing authority.

(4) The commission shall meet as needed with the first meeting to be called by the governor in July of 2023. At the first meeting, the commission shall elect a chair, who shall call all subsequent meetings.

(5) The commission is administratively attached to the department of environment and conservation for budgeting purposes.

(6) A majority of the members of the commission constitutes a quorum. All actions of the commission must be ratified by a majority vote of all members.

(7) In order to effectively carry on its program, the commission has the authority to employ such personnel as are deemed necessary to conduct its affairs in accordance with applicable law, including, but not limited to, an executive director and legal, technical, and administrative staff.

(8) The commission may promulgate rules and regulations to effectuate the purposes of this section. All rules and regulations shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 3. Notwithstanding another law to the contrary, petitions, complaints, and other matters filed pursuant to Tennessee Code Annotated, Section 4-1-412, must be resolved by the Tennessee historical commission until:

(1) All Tennessee monuments and memorials commission members have been appointed; and

(2) The Tennessee monuments and memorials commission, with the concurrence of the executive director of the Tennessee historical commission, adopts a resolution acknowledging that it has secured adequate staff, funding, and resources, and is prepared to carry out its responsibilities under § 4-1-412. All matters and proceedings related to the Tennessee Heritage Protection Act pending as of June 30, 2023, will be heard or otherwise disposed of by the Tennessee historical commission. Beginning July 1, 2023, such matters pertaining to the Tennessee Heritage Protection Act will be heard and disposed of by the Tennessee monuments and memorials commission.

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it.